

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY EUGENE SAFFOLD,

Petitioner,

No. CIV S-98-1040 DFL JFM P

vs.

JIM HAMLETT, Warden, et al.,

Respondent.

ORDER

Petitioner is a state prisoner proceeding with counsel with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges his April 3, 1990, conviction on charges of first-degree murder, assault with a deadly weapon, two counts of robbery, and findings of firearms use associated with the murder and robberies. On January 9, 2007, this court issued findings and recommendations recommending the petition be denied. On March 30, 2007, after receiving extensions of time, petitioner filed objections to the findings and recommendations. Good cause appearing, the findings and recommendations will be vacated. Respondent will be given a period of twenty days in which to file and serve a response to petitioner's objections, and petitioner will have ten days in which to file a reply if he desires to do so. Thereafter, the matter will be resubmitted for new findings and recommendations.

In accordance with the above, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 9, 2007 are vacated;

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1 2. Respondent is granted twenty days from the date of this order in which to file
2 and serve a response to the contentions raised in petitioner's March 30, 2007 objections to the
3 findings and recommendations;

4 3. Thereafter petitioner will then have ten days in which to file a reply if he
5 desires to do so, and

6 4. The matter will then stand submitted for new findings and recommendations.

7 DATED: April 6, 2007.

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10 UNITED STATES MAGISTRATE JUDGE

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